

MINUTES

CALIFORNIA COURT OF APPEAL FIRST APPELLATE DISTRICT DIVISION ONE

Monday, April 3, 2000

The Court convened at 9:00 a.m. in its courtroom at 350 McAllister Street, Fourth Floor, San Francisco. Present: Strankman, P.J., Stein, J., and Swager, J.; N. Millner, Deputy Clerk; and CHP Officer S. Mills, Bailiff.

A087094 Carolina Cerda,
v.
Physicians Health Partnership, et al..
Cause called and argued by Barbara Zanger, counsel for appellant, and Thomas S. Crary, counsel for respondents. Cause ordered submitted.

A087187 In re Marriage of Sharon and Marc Samborski.
Sharon Shea Samborski,
v.
Marc Steven Samborski.
Cause called and argued by Sharon Shea, appellant in pro per, and Lance Russell, counsel for respondent. Cause ordered submitted.

At this point in the proceedings, Justice Stein left the bench and Justice Marchiano joined the bench for the remainder of the morning calendar.

A084585 Delta V-A, Ltd., et al.,
v.
The State of California, et al.
Cause called and argued by Lingel H. Winters, counsel for appellant Delta V-A, Ltd.; LaMar B. Brown, counsel for respondent Tera Power; and Christopher A. Keele, counsel for respondent State of California. Cause ordered submitted.

A088916 Alan Cowardin, et al.,
 v.
 Board of Supervisors for the County of Napa, et al.
 Cause called and argued by Robert Westmeyer, Deputy County Counsel,
 counsel for appellants, and James F. Sweeney, counsel for respondents.
 Cause ordered submitted.

A087452 Hong Soo Shin,
 v.
 Oyoung Kong, et al.
 Cause called and argued by Arlo Hale Smith, via teleconference, counsel
 for appellant, and Lawrence A. Strid, counsel for respondents. Cause
 ordered submitted.

Court recessed until 1:30 p.m.

MINUTES

CALIFORNIA COURT OF APPEAL
FIRST APPELLATE DISTRICT
DIVISION ONE

Monday, April 3, 2000

The Court reconvened at 1:30 p.m. in its courtroom at 350 McAllister Street, Fourth Floor, San Francisco. Present: Stein, Acting P.J., Swager, J., and Marchiano, J.; B. Robbins, Deputy Clerk; and CHP Officer S. Mills, Bailiff.

A084758 The People,
 v.
 Clifford Michael Reno.
Cause called and argued by Brian K. Hong, counsel for appellant, and Jeffrey M. Laurence, Deputy Attorney General, counsel for respondent. Cause ordered submitted.

A085669 Village Serramonte Homeowners Association,
 v.
 Rita Merat, et al.
Cause called and argued by Michael B. Price, counsel for appellants, and Terry Anastassiou, counsel for respondent. Cause ordered submitted.

A086791 Edward G. Muha,
 v.
 Rhone-Poulenc Basic Chemicals Co, et al.
Cause called and argued by Michelle Carter, counsel for appellant, and Robert D. Eassa, counsel for respondent. Cause ordered submitted.

Court recessed until Tuesday, April 4, 2000 at 9:00 a.m.

MINUTES

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT

Monday, April 3, 2000

Division One

A087362 -- The People v. Ladell Dickerson.

The judgment is affirmed. Marchiano, J. We Concur: Stein, Acting P.J., Swager, J. (Not for Publication.)

A084463 -- The People v. Mark Allen Hall.

The judgment is affirmed. Marchiano, J. We Concur: Stein, Acting P.J., Swager, J. (Not for Publication.)

A087920 -- The People v. Ramiro Leon.

The judgment is affirmed. Swager, J. We Concur: Stein, Acting P.J., Marchiano, J. (Not for Publication.)

A087347 -- Eulogio M. Morales et al. v. Robert Szarnicki.

The judgment is modified to reduce the amount of costs by \$4,450. In all other respects, the judgment is affirmed. Stein, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

A086656 -- In re Darnell S. et al., a Person Coming Under the Juvenile Court Law.

The 12-month review order is affirmed. Marchiano, J. We Concur: Stein, Acting P.J., Swager, J. (Not for Publication.)

Monday, April 3, 2000 (continued)

Division Two

A081989 -- The People v. Gayle Bishop.

A086828 -- In re Gayle Bishop.

Appellant's petition for rehearing is granted. Kline, P.J.

Tuesday, April 4, 2000

Division Two

A087141 -- The People v. Harvey J. Kenney.

The judgment is affirmed. Haerle, J. We concur: Kline, P. J., Lambden, J. (Not for Publication.)

Division Four

A089853 -- In re Andrew Cory B., a Person Coming Under the Juvenile Court Law.

The petition for extraordinary writ is denied on the merits. (Welf. & Inst. Code, § 366.26, subd. (l); Cal. Rules of Court, rule 39.1b(c); see *In re Julie S.* (1996) 48 Cal.App.4th 988, 990-991.) Our decision is final in this court immediately. Hanlon, P.J. We concur: Reardon, J., Sepulveda, J. (Not for Publication.)

Division Five

A087233 -- In re Golden Eagle Insurance Company on Liquidation.

The order of the trial court is affirmed. Stevens, J. We concur: Jones, P.J., Haning, J. (Not for publication.)

A086047 -- The People v. Harold Henricks Fagan.

We affirm the judgment. Jones, P. J. We concur: Haning, J., Stevens, J. (Not for Publication.)

A085811 -- Hockaday v. First American Title Insurance.

The order is affirmed. Jones, P. J. We concur: Haning, J., Stevens, J. (Not for Publication.)

COURT OF APPEAL
STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION THREE

Wednesday April 5, 2000

Court convened at 9:00 a.m. in its Courtroom at 350 McAllister Street, Fourth Floor, San Francisco, California.

Present: McGuiness P.J., Corrigan J., Walker, J., and C. Turner, Deputy Clerk.

A082626 Darryl Phillips,
A082820 v.
International Union of Operating Engineers, AFL-CIO, et al.,
Justice McGuiness announced that the panel is comprised of McGuiness,
P.J., Walker, J. and Parrilli J. and asked counsel if they were willing to
waive Justice Parrilli's presence. Counsel agreed to waive.
Cause called and argued by William John Hooy, counsel for appellant, and
Margot Rosenberg, counsel for respondent.
Cause ordered submitted.

Justice Walker left the bench.

A078223 Frances Muzquiz,
v.
City of Emeryville,
Justice McGuiness announced that the panel is comprised of McGuiness,
P.J., Corrigan J. and Parrilli J. and asked counsel if they were willing to
waive Justice Parrilli's presence. Counsel agreed to waive.
Cause called and argued by Bryce Anderson, counsel for appellant, and
Joel Zeldin, counsel for respondent.
Cause ordered submitted.

court adjourned

Wednesday, April 5, 2000

Division Two

A090647 -- In re Ivan Ray Carter.

By the Court: The petition for writ of habeas corpus is denied. Haerle, Acting, P.J.

A090626 -- In re Steve T. Clay.

By the Court: The petition for writ of habeas corpus is denied. Haerle, Acting P.J.

A090646 -- Gerald S. Levensson v. The Superior Court of Solano County, Ron Barber, et al., R.P.I.

By the Court: The petition for writ of mandate/prohibition is denied. The petition is not verified and also fails to comply with *Sherwood v. Superior Court* (1979) 24 Cal.3d 183, 186-187, and California Rules of Court, rule 56, subdivision (c). Haerle, Acting, P.J.

A090603 -- Marcia Lucas (Rodrigues) v. The Superior Court of Marin County. Thomas J. Rodrigues, R.P.I.

By the Court: The petition for writ of mandate is denied. Haerle, Acting P.J.

A087773 -- Alice Williams et al. v. Charles J. Flynn, Jr.

The judgment is vacated and the case remanded for proceedings consistent with the foregoing conclusion. Lambden, J. We Concur: Haerle, Acting P.J. , Ruvolo, J. (Not for Publication.)

Wednesday, April 5, 2000 (continued)

Division Five

A087955 -- Monica Hujazi v. John Egan et al.

The appeal is dismissed. Stevens, J. We Concur: Jones, P.J., Haning, J.
(Not for Publication.)

A085898 -- In re the Marriage of Janet M. and Edward L. Harvey.

The order awarding attorney fees is reversed. Appellant shall recover his costs of appeal. Jones, P.J. We Concur: Haning, J., Stevens, J. (Not for Publication.)

Thursday, April 6, 2000

Division One

A086531 -- The People v. Arthur Smith Ellis.

The judgment is affirmed. We Concur: Stein, J., Strankman, P.J., Swager, J. (Not for Publication.)

A087904 -- The People v. Michael Thomas Callis.

The judgment is affirmed. Stein, J. We concur: Strankman, P.J., Swager, J. (Not For Publication.)

Division Two

A081674 -- The People v. Yvonne Lucille Eldridge.

We reverse the judgment and remand for further proceedings consistent with this opinion. Lamden, J., We Concur: Kline, P.J. (Not for Publication.)

A083710/A084297 -- Greg Herman v. Sabina Pelta.

The portion of the judgment dismissing Herman's first, fifth and sixth causes of action is reversed. The order awarding Pelta attorney's fees and costs is reversed. The portion of the judgment dismissing Herman's second, third, fourth, eighth and ninth causes of action is affirmed. Herman is awarded costs on appeal. Haerle, J. We Concur: Kline, P.J., Lambden, J. (Not for Publication.)

Division Four

A088324 -- In re Daniella Z., a Person Coming Under the Juvenile Court Law.

Judgment affirmed. Reardon, J. We Concur: Poché, Acting P.J., Sepulveda, J. (Not for Publication.)

Thursday, April 6, 2000 (continued)

Division Five

A086983 -- Daniel Henry v. City and County of San Francisco.

We affirm the judgment. Jones, P.J. We Concur: Haning, J., Stevens, J.
(Not for Publication.)

A088100 -- The People v. James Richardson.

The judgment of conviction is affirmed.

The superior court, however is directed to file an amended abstract of judgment to reflect the imposition of a concurrent sentence as to count two.
Stevens, J. We Concur: Jones, P.J., Haning, J. (Not for Publication.)

Friday, April 7, 2000

Division One

A084261 -- Marilyn Burk v. Ford Motor Company et al.

The judgment is affirmed. Costs to Respondents. Stein, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

A086291 -- The People v. Jose Martinez.

The judgment is affirmed. Stein, J. We Concur: Strankman, P.J. Marchiano, J. (Not for Publication.)

Division Two

A083547 -- Michael Dorsey v. Golden Gate Auto Auctions, Inc. et al.

The judgment is reversed. Costs on appeal to Dorsey as the prevailing party. Golden Gate's motion for sanctions for frivolous appeal is denied. Ruvolo, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

A088734 -- In re Jason J., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Ruvolo, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

A087253 -- The People v. David L. Vargas.

The judgment is affirmed. Kline, P.J. We Concur: Haerle, J., Ruvolo, J. (Not for Publication.)

Division Four

A086488 -- The People v. Glen Foster Green.

The order of commitment is affirmed. Poché J. We Concur: Hanlon, P.J., Reardon, J (Certified for Partial Publication.)

A085601 -- The People v. Warren Anthony Rhodes.

The judgment is reversed. Haning, J. We Concur: Jones, P.J., Stevens, J. (Not for Publication.)

Monday, April 10, 2000

Division One

A086791 -- Edward G. Muha v. Rhone-Poulenc Basic Chemicals Co.

The judgment is reversed. Costs are awarded to appellant. Swager, J., We Concur: Stein, Acting, P.J., Marchiano, J. (Not for Publication.)

A085522 -- Kelly-Moore Paint Company, Inc. v. American Manufacturers Mutual Insurance Company.

The order reducing the judgment by \$22,500, the amount of Kelly-Moore's settlements with Air Perfection and Sullair, is reversed. In all other respects, the judgment is affirmed. Each party to bear its own costs on appeal. Strankman, P.J. We Concur: Stein, J., Marchiano, J. (Not for Publication.)

A087542 -- Fireman's Fund Insurance Company v. Kawasaki Kisen Kaisha., LTD.

The judgment is affirmed. Strankman, P.J. We Concur: Stein, J., Marchiano, J. (Not for Publication.)

A087187 -- In re the Marriage of Sharon Shea and Marc Steven Samborski.

The judgments are affirmed. Strankman, P.J. We Concur: Stein, J., Swager, J. (Not for Publication.)

A084758 -- The People v. Clifford M. Reno.

The judgment is affirmed. Swager, J. We Concur: Stein, Acting, P.J., Marchiano, J. (Not for Publication.)

A087094 -- Carolina Cerda v. Physicians Health Partnership.

The judgment is affirmed. Strankman, P.J. We Concur: Stein, J., Swager, J. (Not for Publication.)

A088916 -- Alan Cowardin v. Board of Supervisors for Napa.

The appeal is dismissed. Costs are awarded to plaintiffs. Swager, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

Monday, April 10, 2000 (continued)

Division Two

A084848 -- Ronald L. King et al. v. Wilfred O'Neill.

The petition for hearing is denied. Kline, P. J.

A086709 -- The People v. Duwann Leon Walker

The judgment is affirmed. Kline, P. J. We concur: Haerle, J. and Lambden, J. (Not for Publication.)

Division Five

A087092 -- In re Shawna C., a Person Coming Under the Juvenile Court Law.

The order terminating parental rights is affirmed. Jones, P.J. We concur: Haning, J. and Stevens, J.

Tuesday, April 11, 2000

Division One

A089302 -- The People v. Kenneth Faber, Jr.

The judgment is affirmed. Stein, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

Division Two

A085768 -- Rhonda Dee Larson v. Pacific Bell.

The summary judgment is affirmed. Marchiano, J. We Concur: Strankman, P.J., Stein, J. (Not for Publication.)

A090728 -- David Polenski Gonzalez v. The Superior Court; The People of the State of California, R.P.I.

By the Court: The petition for writ of mandate/stay is denied. Haerle, Acting P.J.

A084748 -- The People v. Jason Fivecoat.

The judgment is affirmed. Kline, P.J. We Concur: Haerle, J., Ruvolo, J. (Not for Publication.)

Division Three

A083838 -- The People v. Patricia Pote-Williams.

The judgment is affirmed. Walker, J. We Concur: Corrigan, Acting P.J., Parrilli, J. (Not for Publication.)

A075711 -- The People v. George Edward Barella.

The judgment is affirmed, without prejudice to appellant's right to file a petition for writ of habeas corpus raising the *Romero* and ineffective assistance issue. Parrilli, J. We Concur: McGuinness, P.J., Walker, J. (Not for Publication.)

Tuesday, April 11, 2000 (continued)

A086822 -- In re Jasmine D. a Person Coming Under the Juvenile Court Law.

By the Court: The petition for rehearing is denied. The standard of review was briefed by the parties. McGuiness, P.J.

Division Four

A088083 -- The People v. Billie Joann Harris.

The judgment is affirmed. Poché J. We Concur: Hanlon, P.J., Reardon, J. (Not for Publication.)

Division Five

A085098 -- William R. Setzler v. Retirement Board of the City and County of San Francisco.

The judgment is affirmed. Jones, P.J. We Concur: Haning, J., Stevens, J. (Not for Publication.)

Wednesday, April 12, 2000

Division One

A087198 -- The People v. Manuel Castro.

The order is affirmed. Strankman, P.J. We Concur: Stein, J., Marchiano, J. (Not for Publication.)

A088528 -- In re Angelo D., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Swager, J. We Concur: Stein, Acting P.J., Marchiano, J. (Not for Publication.)

A087895 -- The People v. Michael Loren Elliott.

Appellant was represented by competent counsel throughout these proceedings and there are no arguable issues. The judgment is affirmed. Strankman, P.J. We Concur: Swager, J., Marchiano, J. (Not for Publication.)

A088637 -- The People v. Michael Jeffery Gazzano.

The judgment is affirmed. Stein, J. We Concur: Strankman, P.J. Swager, J. (Not for Publication.)

A085669 -- Rita Merat v. Village Serramonte.

Accordingly, the judgment is affirmed. Swager, J. We Concur: Stein, Acting P.J., Marchiano, J. (Not for Publication.)

A084585 -- Tera Power Corporation et al. v. State of California ex rel. Department of Water Resources et al., Delta V-A, LTD., et al. The order subject to appeal is affirmed. Swager, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

A085527 -- The People v. v. Vernon Glenn Walls.

The judgment is modified to strike the previously stayed one-year enhancement of appellant's sentence for his prior prison term for manslaughter under section 667.5, subdivision (b). In all other respects, the judgment is affirmed. Strankman, P.J. We Concur: Stein, J., Swager, J. (Not for Publication.)

Wednesday, April 12, 2000 (continued)

Division Two

A090673 -- In re Jonathan Hugh Hutchinson on Habeas Corpus.

By the Court: The petition for writ of habeas corpus is denied. Haerle, Acting P.J.

A090683 -- In re Victor Marcello Santos on Habeas Corpus.

By the Court: The petition for writ of habeas corpus is denied without prejudice. The record is incomplete and this issue is pending before the California Supreme Court in *In re Resendiz*, S078879 and *People v. Sandoval*, S081438. Haerle, Acting P.J.

Division Five

A088242 -- Evan L. Olson et al. v. Six Rivers National Bank.

The trial court's order is reversed as to the denial of the petition to compel, and affirmed as to its stay of the arbitration. Each party to bear its own costs on appeal. Stevens, J. We Concur: Jones, P.J, Haning, J. (Not for Publication.)

Thursday, April 13, 2000

Division One

A090131 -- In re Mariah A., a Person Coming Under the Juvenile Court Law.

The challenged orders are supported by substantial evidence . (*James B. v. Superior Court* (1995) 35 Cal.App.4th 1014, 1021.) The petition for extraordinary writ is denied on the merits. (See Cal. Const., art. § VI, 14; *Kowis v. Howard* (1992) 3 Cal.4th 888, 894; *Bay Development, Ltd. v. Superior Court* (1990) 50 Cal.3d 1012, 1024.).

The section 366.26 hearing is set for April 24, 2000. Therefore, our decision is final in this court immediately. Swager, J., We Concur: Strankman, P.J., Stein, J. (Not for Publication.)

Division Two

A085233 -- The People v. Juan Alberto Fuentes.

The judgment of conviction is affirmed. Haerle, Acting P.J. We Concur: Lambden, J., Ruvolo, J. (Not for Publication.)

A085982 -- The People v. Chris Pacheco.

The judgment is affirmed. Lambden, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

Division Four

A089192 -- The People v. Terry Ray Coleman.

The judgment is affirmed. Reardon, J. We Concur: Hanlon, P.J., Sepulveda, J. (Not for Publication.)

Friday, April 14, 2000

Division One

A089429 -- In re Daniel S., et al., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Swager, J. We Concur: Strankman, P.J., Stein, J. (Not for Publication.)

A082947 -- Carolyn Taylor Stanley v. Thomas M. Heysek.

The order appealed from is affirmed. Haerle, J. We Concur: Kline, P.J., Lambden, J. (Not for Publication.)

Division Two

A085426 -- The People v. Nayamka Jackson.

We reverse. Ruvolo, J. We Concur: Kline, P.J., Lambden, J. (Not for Publication.)

Division Three

A088894 -- Arcsoft, Inc. v. David Hsieh.

The judgment is affirmed. Appellant to bear costs of appeal. McGuiness, P.J. We Concur: Corrigan, J., Parrilli, J. (Not for Publication.)

A088452 -- Jules Klot et al. v Dale Allyn Smith.

The trial court's conclusion regarding violation of the easement for garbage collection is affirmed. The award of fees is reversed. Each party to bear her or their costs of appeal. McGuiness, P.J. We Concur: Parrilli, J., Walker, J. (Not for Publication.)

A078223 -- Frances Muzquiz v. City of Emeryville.

The judgment is affirmed. McGuiness, P.J. We Concur: Corrigan, J., Parrilli, J. (Certified for Publication.)

Friday, April 14, 2000 (continued)

A082626, A82820 -- Darryl Phillips v. International Union of Operating Engineers, Local Union No. 3.

The judgment in favor of the Union is affirmed (A082626). The postjudgment order granting in part Phillips' motion to tax costs is affirmed (A082820). The parties shall bear their own costs on this appeal and cross-appeal. McGuiness, P.J. We Concur: Parrilli, J., Walker, J. (Not for Publication.)

A083412 -- The People v. Raymundo Avalos Sanchez.

Appellant's conspiracy conviction is affirmed. This matter is remanded for resentencing on the attempted murder conviction. In all other respects, the judgment is affirmed. McGuiness, P.J. We Concur: Corrigan, J., Parrilli, J. (Not for Publication.)

Division Four

A087474 -- Estate of Frederick W. Williams, Deceased.

The purported appeal is dismissed. Reardon, J. We Concur: Hanlon, P.J., Sepulveda, J. (Not for Publication.)

A087975 -- Ariana Akins et al. v. Enterprise Rent-A-Car Company of San Francisco et al.

By the Court: The request for publication of this court's March 20, 2000 opinion is granted and it is hereby ordered that said opinion be published in the Official Reports. Hanlon, P.J. (Certified for Publication.)

Friday, April 14, 2000 (continued)

Division Five

A084045 -- Moving Media, Inc. v. Speck Cab Company.

Judgment on the complaint is reversed and remanded. Judgment on the cross-complaint is affirmed. Each party to bear its own costs on appeal. Haning, J. We Concur: Jones, P.J., Stevens, J. (Not for Publication.)

A087636 -- Tom Taber et al. v. City and County of San Francisco et al.

The order of dismissal is affirmed. Costs to respondents. Haning, J., We Concur: Jones, P.J., Stevens, J. (Not for Publication.)

Monday, April 17, 2000

Division Two

A088034 -- Theresa Marie Bal v. County of Contra Costa.

We affirm the judgment. Bal is to pay costs. Lambden, J. We Concur: Haerle, Acting P.J., Ruvolo, J. (Not for Publication.)

A088112 -- The People v. Robert L. Huffman.

The judgment is affirmed. Kline, P.J. We Concur: Haerle, J., Ruvolo, J. (Not for Publication.)

A087697 -- The People v. Ray Maple.

The conviction is affirmed. Lambden, J. We Concur: Kline, P.J., Ruvolo, J. (Not for Publication.)

A084603 -- The People v. Emery Amos Wetton.

The judgment is affirmed. Lambden, J. We Concur: Kline, P.J., Ruvolo, J. (Not for Publication.)

Division Three

A089270 -- In re the Marriage of Mia and Samuel Daffner.

Respondent's motion to dismiss the appeal is granted. Corrigan, Acting P. J. We Concur: Parrilli, J., Walker, J. (Not for Publication.)

A087191 -- Utility Management v. East Bay Municipal Utility District.

The judgment is affirmed. Jones, P.J. We Concur: Haning, J., Stevens, J. (Certified for Partial Publication.)

Tuesday, April 18, 2000

Division Two

A075139 -- The People v. Wayne Douglas Benson.

The judgment is affirmed. Kline, P.J. We Concur: Haerle, J., Ruvolo, J.
(Not for Publication.)

**A090754 -- Joseph Leonard Neufeld v. The Superior Court of Marin,
Contra Costa County; City of San Rafael, et al., R.P.I.**

By the Court: The petition for writ of certiorari is denied. Haerle, J.,
Acting P.J.

**A089094 -- In re Justin S., a Person Coming Under the Juvenile Court
Law.**

The order adjudicating appellant a continued ward of the court pursuant to
Welfare and Institutions Code section 602 and placing him on probation in the
home of his parents is affirmed. Lambden, J. We Concur: Kline, P.J., Haerle, J.
(Not for Publication.)

A087020 -- The People v. Nakeya Zeney Scott.

The judgment is affirmed. Kline, P.J. We Concur: Lambden, J., Ruvolo,
J. (Not for Publication.)

Division Four

A083746 -- In re Marriage of Mary E. and Thomas D. Terry.

A083772 -- Mary E. Terry v. Thomas D. Terry.

We reverse the order reducing, but continuing, spousal support with
directions that the trial court enter an order terminating support and reserving
jurisdiction only (No. A083772). We affirm the order requiring Ms. Terry to pay
her own fees (no. A083746). We deny both parties' request for fees on appeal.
Reardon, J. I Concur: Hanlon, P.J. (See Concurring and Dissenting Opinion,
Sepulveda, J.) (Not for Publication.)

Tuesday, April 18 (continued)

A085140 -- William Fry et al. v. Donald F. DeLong.

The purported appeal from the order denying the motion for reconsideration or new trial is dismissed. The judgment is reversed and the cause is remanded to the trial court for further proceedings consistent with this opinion. Costs are not awarded. Poché, Acting, P.J. We Concur: Reardon, J., Sepulveda, J. (Not for Publication.)

A089182 -- The People v. Gardere.

The judgment is affirmed. Sepulveda, J. We Concur: Hanlon, P.J., Reardon, J. (Not for Publication.) .)

A085349 -- International Federation of Professional and Technical Engineers, Local 21 v. City and County of San Francisco.

The judgment is affirmed. Poché J. We Concur: Hanlon, P.J., Reardon, J. (Certified for Publication.)

A086119 -- The People v. Todd James Lyon.

The judgment is affirmed. Poché J. We Concur: Hanlon, P.J., Sepulveda, J. (Not for Publication.)

Division Five

A088747 -- In re Darnell C., a Person Coming Under the Juvenile Court Law.

The order adjudicating appellant a continued ward of the court pursuant to Welfare and Institutions Code section 602 and placing him outside the home of his parents is affirmed. Jones, P.J. We Concur: Stevens, J., Kramer, J.* (Not for Publication.)

*Kramer, J. Judge of the San Francisco Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

Tuesday, April 18, 2000 (continued)

A088419 -- The People v. Ronald Glenn Hurst.

The order permanently revoking appellant's probation is affirmed. Kramer, J.* We Concur: Jones, P.J., (Not for Publication.)

*San Francisco Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California ConstitutionStevens, J.

Wednesday, April 19, 2000

Division Two

A086735 -- Chris E. Bell, et al. v. American Sterling Insurance Co.

The judgment is dismissed. Haerle, J. We Concur: Kline, P.J., Lambden, J. (Not for Publication.)

A086938 -- In re Blane G., a Person Coming Under the Juvenile Court Law.

The judgment and orders are affirmed. Haerle, Acting P.J., We Concur: Lambden, J., Ruvolo, J. (Not for Publication.)

A084235 -- Jason Zachos v. Collishaw Corp.

The judgment is affirmed. Zachos is to pay costs. Lambden, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

Division Three

A086121 -- The People v. Tamiko Burgess.

Affirmed. Walker, J. We Concur: Corrigan, Acting, P.J., Parrilli, J. (Not for Publication.)

A090254 -- Cheryl M. v. The Superior Court of Solano County.

The petition for extraordinary relief is denied on its merits. (See Cal. Const., art VI, § 14; *Kowis, supra*, 3 Cal.4th at p. 894.) Because the section 366.26 hearing is set for June 7, 2000, our decision is final in this court immediately. (Cal. Rules of Court, rule 24(d).) McGuiness, P.J. We Concur: Corrigan, J., Parrilli, J. (Not for Publication.)

Wednesday, April 19, (continued)

Division Four

A084969 -- The People v. Gail Allen Crouch, Eeve T. Lewis, as Public Conservator.

The appeal is dismissed. Sepulveda, J. We Concur: Hanlon, P.J., Reardon, J. (Not for Publication.)

A086055 -- The People v. Raymond Garcia, Jr.

The judgment of conviction is affirmed. Poché, Acting P.J. Concur: Reardon, J., Sepulveda, J. (Not for Publication.)

A087560 -- In re Cameron L., a Person Coming Under the Juvenile Court Law.

A084639 -- Marin County Department of Social Services v. Justine L.

For all the foregoing reasons, the orders and judgment of the juvenile court are affirmed. Sepulveda, J. We Concur: Hanlon, P.J., Poché J. (Not for Publication.)

A088285 -- In re Derek T., a Person Coming Under the Juvenile Court Law.

The orders appealed from are affirmed. Sepulveda, J. We Concur: Hanlon, P.J., Poché J. (Not for Publication.)

Division Five

A088962 -- The People v. Nelson Martinez.

The judgment is affirmed. Jones, P.J. We Concur: Stevens, J., Kramer, J.* (Not for Publication.)

*Superior Court of the City and County of San Francisco assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution. (Not for Publication.)

Thursday, April 20, 2000

Division One

A083897 -- The People v. Quyen Dai Van.

Accordingly, the judgment is affirmed. Swager, J. We Concur: Stein, Acting P.J., Marchiano, J. (Not for Publication.)

A086425 -- The People v. Leandro Torres.

The judgment is affirmed. Swager, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

Division Three

A084908 -- The People v. Kenneth Gerald Deardeuff.

The Clerk of Humboldt County Superior Court is directed to amend the abstract of judgment as follows: (1) The correct total sentence is three years eight months—three years on count one and eight months *consecutive* on count eight. (2) The correct total custody credits is 784 days—524 days actual time credit and 260 days 4019 credit. The clerk of the court shall forward a certified copy of the amended abstract to the Department of Corrections.

The judgment, as modified, is affirmed. Walker, J. We Concur: McGuinness, P.J., Parrilli, J. (Not for Publication.)

Friday, April 21, 2000

Division One

A088006 -- Gene Dugan et al al. v. Armstrong Painting, Roofing, Windows.

The order awarding respondent \$1500 in attorney's fees is reversed. Marchiano, J. We Concur: Strankman, P.J., Stein, J. (Not for Publication.)

A088742 -- The People v. Fetzum Zewdei Moges.

The judgment is affirmed. Marchiano, J. We Concur: Strankman, P.J., Swager, J. (Not for Publication.)

A087083 -- The People v. Amilliano Zapata Ramos.

The judgment is affirmed. Stein, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

A086721 -- Zee Medical Distributor Association, Inc. v. Zee Medical, Inc.

The judgment is affirmed. Marchiano, J. We Concur: Stein, Acting, P.J., Swager, J. (Certified for Publication.)

Division Two

A086704 -- In re Raymond B.G., a Person Coming Under the Juvenile Court Law.

We also conclude that the court correctly set the maximum term of confinement (*In re Eric J.* (1979) 25 Cal.3d 522). Appellant was at all times represented by counsel in these proceedings and we discern no error in the proceedings or in the ultimate disposition. The sentence imposed was within the court's discretion and nothing in the record suggests any reversible abuse of such discretion. Accordingly, our independent review of the record leads us to affirm the judgment. Lambden, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

Friday, April 21, 2000 (continued)

Division Three

A084875 --Union Pacific Corporation et al. v. Richard Wengert

The judgment is reversed. Wengert shall recover his costs on appeal.
Parrilli, J. We Concur: McGuinness, P.J., Corrigan, J. (Certified for Publication.)

Division Four

**A085263 -- In re Joel F., a Person Coming Under the Juvenile Court
Law.**

The dispositional order is affirmed. Hanlon, P.J. We Concur: Reardon, J.,
Sepulveda, J. (Not for Publication.)

A087940 -- James R. Sass v. Rubi Elisar, et al.

The appeal is dismissed. Sepulveda, J. We Concur: Hanlon, P.J., Poché J.
(Not for Publication.)

Monday, April 24, 2000

Division One

A087387 -- The People v. George Lawrence Aaron, Jr.

The judgment of the trial court is reversed in its entirety. The information against appellant on the San Mateo charges is dismissed. The original judgment in San Francisco Superior Court No. 156055 is reinstated. Stein, Acting P. J. We Concur: Swager, J., Marchiano, J. (Not for Publication.)

A090252 -- In re Dyllan S., a Person Coming Under the Juvenile Court Law.

The challenged orders are supported by substantial evidence. (*James B. v. Superior Court* (1995) 35 Cal.App.4th 1014, 1021.) The petition for extraordinary writ is denied on the merits. (See Cal. Const., art. VI, § 14; *Kowis v. Howard* (1992) 3 Cal.4th 888, 894; *Bay Development, Ltd. v. Superior Court* (1990) 50 Cal.3d 1012, 1024.)

The section 366.26 hearing is set for June 13, 2000. Therefore, our decision is final in this court immediately. Stein, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

Division Two

A090352 -- Mohammed Abboushi v. The Superior Court of San Francisco County, The People, R.P.I.

By the Court: The petition for writ of mandate is denied and the stay previously imposed is lifted. Haerle, Acting P.J.

Division Three

A088449 -- The People v. Gregory Allen Faivre.

The judgment is affirmed. Corrigan, Acting P.J. We Concur: Parrilli, J., Walker, J. (Not for Publication.)

A083983 -- The People v. v. David Joseph Forrest.

The appeal is dismissed with prejudice. Parrilli, J. We Concur: McGuinness, P.J., Corrigan, J. (Not for Publication.)

Monday, April 24, (continued)

A086085 -- The People v. William Sanford Renshaw.

The judgment is affirmed. Parrilli, J. We Concur: McGuiness, P.J., Corrigan, J. (Not for Publication.)

A087048 -- Estate of Ferne Wachter, Deceased.

The judgment (order determining that petition is not a contest) is affirmed. Costs are awarded to respondent in this appeal. Parrilli, J. We Concur: McGuiness, P.J., Corrigan, J. (Not for Publication.)

Division Four

A087788 -- In re Curtis McM., a Person Coming Under the Juvenile Court Law.

The dispositional order is affirmed. Poché J. We Concur: Hanlon, P.J., Sepulveda, J. (Not for Publication.)

Division Five

A086761 -- The People v. Jimmie Dale Otto.

We affirm the judgment. Jones, P.J. We Concur: Haning, J., Stevens, J. (Certified for Partial Publication.)

Tuesday, April 25, 2000

Division One

A087069 -- The People v. Kojuan Kondi Williams.

The judgment is affirmed. Marchiano, J. We Concur: Strankman, P.J., Swager, J. (Not for Publication.)

Division Two

A086849 -- In re Charles S., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Ruvolo, J. We Concur: Kline, P.J., Lambden, J. (Not for Publication.)

Division Three

A082687 -- In re the Marriage of Sandra Eben-King and Thomas L. King.

The order denying appellant's motion to set aside the judgment of dissolution is affirmed. McGuiness, P.J. We Concur: Corrigan, J., Parrilli, J. (Certified for Publication.)

A079807 -- The People v. Douglas Henry Lecorno.

The judgment is affirmed. McGuiness, P.J. We Concur: Corrigan, J., Parrilli, J. (Not for Publication.)

A087723 -- The People v. Juan Manuel Salinas.

The judgment is affirmed. McGuiness, P.J. We Concur: Corrigan, J., Parrilli, J. (Not for Publication.)

Tuesday, April 25, 2000 (continued)

A083888 -- Bertha Valencia, a Minor, etc., et al. v. Terry Michaud et al.

By the Court: The opinion filed March 31, 2000, is ordered modified as follows: SEE ORDER.

This modification does not effect a change in the judgment.

The petition for rehearing and request for depublication are denied.
Corrigan, Acting P.J. (Certified for Publication.)

Division Five

A088570 -- Michael Thaler v. Household Finance Corporation et al.

The order of the trial court is affirmed. Stevens, J. We Concur: Jones, P.J., Kramer, J.* (Not for Publication.)

*San Francisco Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

Wednesday, April 26, 2000

Division One

A087384 -- In re Brittany C., a Person Coming Under the Juvenile Court Law.

The order is affirmed. Stein, J. We Concur: Strankman, P.J., Swager, J. (Not for Publication.)

A087367 -- In re Noah K., a Person Coming Under the Juvenile Court Law.

The order terminating parental rights is affirmed. Marchiano, J. We Concur: Stein, Acting P.J., Swager, J. (Not for Publication.)

Division Two

A085324 -- In re Darrell B., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Ruvolo, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

A085725 -- Robert B. DiMartino and Lise K. Tong v. City of Orinda.

By the Court: It is ordered that the opinion filed herein on March 28, 2000, be modified as follows: (SEE ORDER)

There is no change in the judgment.

The opinion in the above-entitled matter filed on March 28, 2000, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered. Kline, P.J. (Certified for Publication.)

A085107 -- Jeanne Doan v. Citicorp Mortgage, Inc.

The judgment is affirmed. Haerle, J. We Concur: Kline, P.J., Ruvolo, J. (Not for Publication.)

Wednesday, April 26, 2000 (continued)

A087077 -- The People v. Mary Ann Kathrein.

We affirm the trial court's denial of appellant's motion to suppress, and the judgment of conviction. Ruvolo, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

A086468 -- The People v. Orzell Long.

Execution of the eight-month term imposed for count 2 is stayed, such stay to become permanent when service of the terms under count 1 is completed (*In re Adams, supra*, 14 Cal.3d at p. 637); as so modified, the judgment is affirmed. The superior court shall direct the preparation of an amended abstract of judgment to be forwarded to the appropriate custodial authority. Lambden, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

A086006 -- In re David O., a Person Coming Under the Juvenile Court Law.

The judgment of December 28, 1998 is modified to strike any additional restitution fine imposed under Welfare and Institutions Code section 730.6, subdivision (b) in excess of \$100. Lambden, J. We Concur: Kline, P.J., Ruvolo, J. (Not for Publication.)

Division Three

A088788 -- Robert J. Gianelli v. Robert E. Smith.

Gianelli's appeal from the "Ruling on Motion for Attorney Fees" is dismissed. Costs on appeal awarded to Smith. Parrilli, J. We Concur: McGuiness, P.J., Corrigan, J. (Not for Publication.)

A085611 -- The People v. Jerry Thornburg.

The judgment is affirmed. Corrigan, Acting P.J. We Concur: Parrilli, J., Walker, J. (Not for Publication.)

Wednesday, April 26, 2000

Division Four

A088707 -- Ernst S.J. van Graan v. Daleen du Plessis.

By the Court: Appellant having failed to file a brief after notice given under rule 17(a) of the California Rules of Court, the appeal is dismissed. Corrigan, Acting P. J.

A085168 -- Anthony Astorgano et al v. Thomas, Porch & Gullikson et al.

Of course, we do not fault the trial court for ruling as it did without the benefit of the recent decisions in *City of Atascadero* and *Wolf*, which were decided shortly after summary judgment was entered in this case. As we have discussed, however, we are convinced that the grant of summary judgment cannot be sustained now that the theory of liability recognized in those cases is—at least until our Supreme Court says otherwise—the law of this state. Moreover, since there was no request for summary adjudication of issues, but only a request for summary judgment of the entire action, we must reverse the judgment in its entirety. (See *Wright v. Stang* (1997) 54 Cal.App.4th 1218, 1223-1224 fn. 1, 1236; *Barnick v. Longs Drug Stores, Inc.* (1988) 203 Cal.App.3d 377, 384.) Appellants shall recover their costs. Sepulveda, J. We Concur: Hanlon, P.J., Poché J. (Not for Publication.)

A087632 -- Eric E. Bugna et al. v. Ronald D. Fike, Jr., et al.

For all these reasons, we affirm the order staying proceedings in Solano County as to all parties. Reardon, J. We Concur: Hanlon, P.J., Sepulveda, J. (Certified for Publication.)

A084038 -- Duggan's Funeral Service, Inc. v. Duggan's Serra Mortuary, Inc.

We affirm the judgment and award of fees, with the above modification. Reardon, J. We Concur: Hanlon, P.J., Sepulveda, J. (Certified for Partial Publication.)

Wednesday, April 26, 2000 (Continued)

A087430 -- Jo Kim v. The Regents of the University of California.

By the Court: The request for publication of this court's March 27, 2000 opinion is granted and it is hereby ordered that said opinion be published in the Official Reports. Hanlon, P.J. (Certified for Publication.)

A084843 -- Clark Allen Kimbrough v. Department of Corrections, et al.

For the foregoing reasons, the appeal is dismissed. The parties shall bear their own costs on appeal. Sepulveda, J. We Concur: Hanlon, P.J., Poché J. (Not for Publication.)

A085674 -- In re the Marriage of Jacqueline Gamelin Marks and Neil Marks.

The order appealed from is affirmed. Sepulveda, J. We Concur: Hanlon, P.J., Reardon, J. (Not for Publication.)

A086780 -- Fabio G. Reginato, individually and as Trustee, etc. v. The People ex rel. Department of Transportation.

The attorney fees and costs order is affirmed. Reardon, J. We Concur: Hanlon, P.J., Poché J. (Not for Publication.)

Division Five

A086930 -- Robert Cole v. Monika Hudson et al.

The order directing appellants to reinstate Cole with backpay is reversed. The order to show cause why sanctions should not be imposed on appellants for filing a frivolous appeal is discharged and the motion for sanctions is denied. Costs to appellants. Haning, J. I Concur: Jones, P.J. See Dissenting Opinion of Stevens, J. (Not for Publication.)

Thursday, April 27, 2000

Division One

A088325 -- In re Bruce J., a Person Coming Under the Juvenile Court Law.

The judgment is affirmed. Stein, J. We Concur: Strankman, P.J., Marchiano, J. (Not for Publication.)

Division Two

A086500 -- The People v. Benjamin Arellano Barcenas.

The judgment of the trial court is affirmed. Ruvolo, J. We Concur: Kline, P.J., Lambden, J. (Not for Publication.)

A083875 -- California Contractors License Services v. Scrodin Enterprises, Inc. etc., et al.

By the Court: It is ordered that the opinion herein on March 31, 2000, be modified as follows: (SEE ORDER) There is no change in judgment. Appellant's petition for rehearing is denied. Kline, P.J. (Not for Publication.)

Division Three

A085677 -- In re Marriage of Brent Lamascus and Lydia Lamascus.

The December 24, 1998, order, which we find is the only order properly and timely, appealed herein, is affirmed. Brent LaMascus shall recover his costs on appeal. Walker, J. We Concur: McGuinness, P.J., Corrigan, J. (Not for Publication.)

A088610 -- The People v. John Williams.

There was no error in either the entry of the plea or the imposition of sentence. There are no meritorious issues to be argued. The judgment and sentence are affirmed. Corrigan, J. We Concur: McGuinness, P.J., Parrilli, J. (Not for Publication.)

Thursday, April 27, 2000 (continued)

Division Four

A089649 -- In re Raymond Tyler C. , et al., a Person Coming Under the Juvenile Court Law., Dawn W. v. Superior Court, Del Norte Department of Health and Social Services, R.P.I.

A089650 -- In re Harvey W., et al., a Person Coming Under the Juvenile Court Law, Steven W. v. Superior Court of California. Del Norte Department of Health and Social Services, R.P.I.

The petitions are denied on the merits (§ 366.26, subd. (1); Cal. Rules of Court, rule 39.1B(o)), and these decisions are final immediately. Hanlon, P.J. We Concur: Reardon, J., Sepulveda, J. (Not for Publication.)

A083177 -- In re The Marriage of Ingrid E. And Kenneth W. Kemble.

The judgment is affirmed. Reardon, J. We Concur: Hanlon, P.J., Poché J. (Not for Publication.)

A087719 -- The People v. Robert James Feenan.

The judgment of conviction is affirmed. Poché J. We Concur: Hanlon, P.J., Reardon, J. (Not for Publication.)

A089980 -- Kimberly M. Reisler v. The Superior Court of Contra Costa County, Geoffrey Phillips, R.P.I.

Let a peremptory writ issue restraining the respondent superior court from taking any action to enforce its oral contempt findings of September 13, 1999, and its written order filed January 12, 2000, each of which is hereby annulled. This opinion is final as to this court immediately. Poché, Acting P.J. We Concur: Reardon, J., Sepulveda, J. (Not for Publication.)

Thursday, April 27, 2000 (continued)

Division Five

**A088115 -- John Stiglich v. Merit Board of Contra Costa County et al.,
Contra Costa County Fire Protection District, R.P.I. , United Professional
Fire Fighters, Local 1230, LAFF, AFL-CIO,**

The judgment is affirmed. Each party shall bear its own costs on appeal.
Stevens, J. We Concur: Jones, P.J., Haning, J.* (Not for Publication.)

*Retired. Associate Justice of the Court of Appeal, First Appellate District,
assigned by the Chief Justice pursuant to article VI, section 6 of the California
Constitution.

Friday, April 28, 2000

Division One

A085796 -- Jeffrey Hersey v. Robert Adorni et al.,

The order sustaining the demurrer without leave to amend is affirmed.
Marchiano, J. We Concur: Stein, Acting P.J., Swager, J. (Not for Publication.)

A090307 -- Guillermo Ledesma v. The Superior Court of Del Norte County, Robert L. Ayers, Jr. Warden, Pelican Bay State Prison, R.P.I.

By the Court: Since the record is clear that the Del Norte County Superior Court has not yet acted below, no purpose would be served by issuance of an alternative writ or oral argument on this petition. (*Lewis v. Superior Court* (1999) 19 Cal.4th 1232.) Therefore, let a peremptory writ of mandate issue commanding respondent Del Norte County Superior Court to promptly proceed upon the merits of the petition for writ of habeas corpus filed in number 99-233-X. This opinion is final as to this Court immediately. (Cal. Rules of Court, rule 24(d).) (Not for Publication.)

Before Strankman, P.J., Stein, J., and Marchiano, J.

A087452 -- Hong Soo Shin v. Oyoung Kong.

The judgment is affirmed. Marchiano, J. We Concur: Strankman, P.J., Swager, J. (Certified for Publication.)

Division Two

A086441 -- Laurence Colangelo, et al. v. Mega Sand, Incorporated et al.

The judgment is reversed. The order granting a new trial is affirmed and the case is remanded to the trial court for further proceedings consistent with this opinion. Haerle, J. We Concur: Kline, P.J., Lambden, J. (Not for Publication.)

A087021 -- The People v. Archie Delaney.

The judgment is affirmed. Kline, P.J. We Concur: Lambden, J., Ruvolo, J. (Not for Publication.)

Friday, April 28, 2000 (continued)

A081844/A084984 -- In re the Marriage of Aisha Othman, formerly known as Aisha Hinman, and Howard E. Hinman. Aishaa Othman v. Howard E. Hinman.

In appeal number A081844, the September 3, 1997 order releasing Aisha's \$2,000 bond to Howard and the December 12, 1997 order denying Aisha's request for unrestricted access to her passport are reversed. These matters are remanded for further proceedings as described in the discussion portion of this opinion. The December 12, 1997 orders upwardly modifying Aisha's child support obligations, imputing income to Aisha without permitting her to take hardship deductions, refusing to compel Howard to provide Aisha with his 1995 and 1996 income tax returns and an updated income and expense report, and denying Aisha's request for disqualification are dismissed for lack of appellate jurisdiction. The remaining orders challenged by Aisha in appeal number A081844 are affirmed.

In appeal number A084984, the court's September 17, 1998 order refusing to join Mounir as a party to the child support enforcement proceedings is affirmed.

The presiding judge of the San Mateo County Superior Court is directed to assign any further proceedings in this matter to a different judge. (§§ 170.1, subd. (c); 187.) Kline, P.J. We Concur: Lambden, J., Ruvolo, J. (Not for Publication.)

A084710 -- Perry S. Shers v. Institute for Labor and Mental Health.

By the Court: The petition for rehearing is denied. Kline, P.J.

A088669 -- In re Eli W., a Person Coming Under the Juvenile Court Law.

If Eli W. had appealed, we would affirm the orders adjudicating appellant a continued ward of the court pursuant to Welfare and Institutions Code section 602 and placing him on probation in the home of his mother. Since only his mother, Kathleen G., signed the notice of appeal, we dismiss this matter because the mother has neither a statutory nor constitutional right to appeal. (*In re Almalik S.* (1998) 68 Cal.App.4th 851, 853-854.) Ruvolo, J. We Concur: Kline, P.J., Haerle, J. (Not for Publication.)

Friday, April 28, 2000 (continued)

Division Four

A085621 -- The People v. Lam Choi et al.

The order is affirmed. Hanlon, P.J. We Concur: Poché J., Sepulveda, J. (Certified for Publication.)

A087567 -- Amjad Dawoud v. Chrysler Corporation et al.

The judgment is affirmed. Hanlon, P.J. We Concur: Poché J., Reardon, J. (Not for Publication.)

A086976 -- Tom Easton et al. v. Sutter Coast Hospital et al.

The judgment of dismissal is affirmed. Poché J. We Concur: Hanlon, P.J., Reardon, J. (Certified for Publication.)

A086682 -- In re the Marriage of Timothy and Megan LeBlanc.

The order is affirmed. Reardon, J. We Concur: Poché Acting P.J., Sepulveda, J. (Not for Publication.)

A085185 -- Meadwood Nursing Center v. Topa Insurance Company.

The judgment is affirmed. Topa is to recover its costs on appeal. Hanlon, P.J. We Concur: Poché J., Sepulveda, J. (Not for Publication.)

A084859 -- In re The Marriage of Claudia Price Cross and Alphonzo A. Cross.

The judgment is affirmed. Hanlon, P.J. We Concur: Poché J., Sepulveda, J. (Not for Publication.)

A086715 -- Pooroushasp Parineh et al. v. Judith C. Bolton.

For all the foregoing reasons, the judgment of the trial court is affirmed in its entirety. Costs to respondent. Sepulveda, J. We Concur: Hanlon, P.J. Poché J. (Not for Publication.)

Friday, April 28, 2000 (continued)

A088616 -- The People v. Marvell Sweet.

The judgment is affirmed. Hanlon, P.J. We Concur: Poché J., Reardon, J.
(Not for Publication.)

A087309 -- The People v. Coy Wilson, Jr.

The judgment is affirmed. Hanlon, P.J. We Concur: Poché J., Reardon, J.

Division Five

A088386 -- In re the Marriage of John A. and Teri L. Ross.

The order of the trial court is affirmed. Stevens, J. We Concur: Jones, P.J., Kramer, J.* (Not for Publication.)

*Judge of the San Francisco Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.